

SENATE JOINT RESOLUTION 668

By McNally

A RESOLUTION to urge the United States Department of Health and Human Services to resolve a longstanding Medicare liability owed to Tennessee and all the States for Medicaid payments made to cover health care costs to individuals whose health care should have been provided by the Medicare program.

WHEREAS, for more than three decades, because of a systemic error by the Social Security Administration in its eligibility determination process for social security programs, Tennessee's Medicaid program paid for health care services to disabled people when the Medicare program was responsible for their coverage; and

WHEREAS, the Social Security Administration has acknowledged the systemic error, and has identified hundreds of thousands of cases nationwide (known as the Special Disability Workload project) in which applicants were mistakenly enrolled in the Supplemental Security Income program, making them eligible for Medicaid coverage rather than correctly enrolled in the Social Security Disability Insurance program, making them eligible for federal Medicare coverage; and

WHEREAS, the United States Department of Health and Human Services, which administers the Medicaid program, has acknowledged that the states are owed billions of dollars for the mistakes made by the Social Security Administration in the Special Disability Workload cases; and

WHEREAS, the United States Department of Health and Human Services has failed to repay Tennessee the millions of dollars it is owed; and

WHEREAS, given the State's current fiscal burdens, it is in the public interest to resolve this liability and provide Tennessee with the federal dollars it is owed because of losses sustained from mistakes made by the Special Disability Workload cases; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED SEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the United States Department of Health and Human Services shall resolve the longstanding Medicare liability owed to Tennessee related to Special Disability Workload cases.

BE IT FURTHER RESOLVED, that appropriate copies of this resolution be prepared and transmitted to the President of the United States, the United States Congress, and Secretary of the United States Department of Health and Human Services.